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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,499	10/13/2000	Christopher C. Winslade	0020	1146

7590 11/23/2005

Christopher C. Winslade
500 West Madison St. 34th Floor
Chicago, IL 60661

EXAMINER

RETTA, YEHDEGA

ART UNIT	PAPER NUMBER
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3622

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/687,499

Applicant(s)

WINSLADE ET AL.

Examiner

Yehdega Retta

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All . b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This office action is in response to amendment filed August 11, 2005. Claims 1-32 are currently pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Meyer et al. (US 6,915,271).

Regarding claims 1 and 6, Meyer teaches offering an item online for sale at a sales price amount; associating a coupon with the item the coupon having a coupon value; receiving online purchase request from a buyer for the item offered online (fig. 13 & 14); responding to the online purchase request from a buyer for the item being offered online purchase request by collecting from the buyer purchase amount corresponding to

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the sales price amount less the coupon amount for the item and electronically communicating to the first system and indication regarding the collection of the purchase amount; charging an account of the buyer (see fig. 15, see also col. 16 lines 45-67, col. 40 line 45 to col. 42 line 41, col. 44 lines 18-51).

Regarding claims 2-5, 7-9 Meyer teaches electronic payment to the first system indicating payment of a reimbursement amount corresponding to the coupon amount; service charge; establishing an account of the first party for paying a coupon amount (see col. 44 line 52 to col. 45 line 17).

Regarding claims 10-12, Meyer teaches delivering plurality of coupons to a browser of the buyer (see fig. 2-5, 19-33).

Regarding claim 13, Meyer teaches delivering performed via email (see col. 7 lines 17-55).

Regarding claims 14-17 and 20, Meyer teaches offering an item online for sale at a sales price amount; associating a coupon with the item the coupon having a promotion amount; receiving online purchase request from a buyer for the item offered online (fig. 13 & 14); responding to the online purchase request from a buyer for the item being offered online purchase request by collecting from the buyer purchase amount corresponding to the sales price amount less the promotion amount for the item and electronically communicating to the first system and indication regarding the collection of the purchase amount; charging an account of the buyer; where in the promotion comprises of rebate, coupon etc, (see fig. 15, see also col. 40 line 45 to col. 42 line 41 see also col. 7 lines 19-54, col. 10 line 30 to col. 12 line 63).

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Regarding claims 18-19 Meyer teaches electronic payment to the first system indicating payment of a reimbursement amount corresponding to the coupon amount; service charge; establishing an account of the first party for paying a coupon amount (see col. 44 line 52 to col. 45 line 17).

Regarding claims 21-23, 27, 28 and 30-32 Meyer teaches offering an item online for sale having initial price; offering by a second party a coupon redeemable for a coupon amount; receiving online purchase request from a buyer for the item offered online (fig. 13 & 14); electronically associating the coupon offer by the second party with the item offered by the first party whereby the coupon amount is deducted from the initial value; electronically collecting from the buyer a purchase amount corresponding to the initial price of the item less the coupon amount; electronically communicating to the first system and indication regarding the collection of the purchase amount; charging an account of the buyer; where in the promotion comprises of rebate, coupon etc, (see fig. 15, see also col. 40 line 45 to col. 42 line 41 see also col. 7 lines 19-54, col. 10 line 30 to col. 12 line 63).

Regarding claims 24, 25 and 29 Meyer teaches electronic payment to the first system indicating payment of a reimbursement amount corresponding to the coupon amount; service charge; establishing an account of the first party for paying a coupon amount (see col. 44 line 52 to col. 45 line 17).

Regarding claims 26, Meyer teaches delivering plurality of coupons to a browser of the buyer by one of the first system, the second system and third party system (see fig. 2-5, 19-33 see also col. 16 lines 46-67, col. 20 lines 35-57).

Response to Arguments

Applicant's arguments filed August 11, 2005, with respect to the rejection(s) of claim(s) 1-32 under 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Meyer.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Postrel (US 6,594,640) teaches redeeming points accumulated.

Storey (US 6009412) teaches redeeming points online.

Ikeda et al. (US 5,937,391) teaches online points issuing and redeeming.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yehdega Retta whose telephone number is (571) 272-6723. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YR


RETTA YEHDEGA
PRIMARY EXAMINER